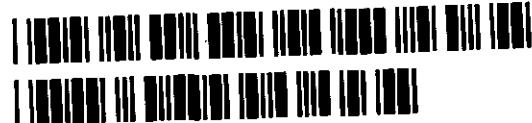


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10-CV-01235-ORD

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

05 RAYNE DEE WELLS, JR.,)
06 Petitioner,) CASE NO. C10-1235-JLR
07 v.)
08 RON VAN BOENING,) ORDER DENYING PETITIONER'S
09 Respondent.) HABEAS PETITION WITH
10) PREJUDICE

11 The Court, having reviewed petitioner's petition for writ of habeas corpus, respondent's
12 answer thereto, the Report and Recommendation of Mary Alice Theiler, United States
Petitioner's Objections To Report and Recommendation (Dkt. 35),
13 Magistrate Judge, and the remaining record, does hereby find and Order:

- 14 (1) The Court adopts the Report and Recommendation;
- 15 (2) Petitioner's habeas petition and this action are DISMISSED, with prejudice;
- 16 (3) Petitioner is DENIED issuance of a certificate of appealability, and
- 17 (4) The Clerk is directed to send copies of this Order to petitioner, to counsel for
18 respondent, and to Judge Theiler.

19 DATED this 17th day of April, 2011.

20
21 JAMES L. ROBART
United States District Judge
22